

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE: Rick J. Mercado
Heather S. Mercado

Case No. 08-43417-TJT
Chapter 13
HON. Thomas J. Tucker

Debtor(s).

**FIRST APPLICATION FOR AWARD AND APPROVAL OF PAYMENT OF POST-CONFIRMATION ATTORNEY
FEES AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN PURSUANT TO E.D. MICH. LBR
9014-1 FROM 5/30/2008 THROUGH 6/25/2009**

NOW COMES CHARLES J. SCHNEIDER, attorney for Debtor(s) herein, moves this Honorable Court as follows:

1. That pursuant to E.D. Mich. LBR 2016-1(a)(1) the within Chapter 13 Plan was confirmed on 06/04/2008 and applicant seeks approval for the award and payment of post-confirmation attorney fees and costs as an administrative expense through the Debtor(s) Chapter 13 Plan in the amount of \$834.00 in fees and \$194.72 in costs for a total compensation of \$7,470.05, Debtor(s) counsel having previously been awarded \$6,441.33. Debtor's(s') counsel has/have received \$0.00 held in the client trust account.
2. That pursuant to E.D. Mich. LBR 2016-1(a)(2) applicant performed services from 5/30/2008 THROUGH 6/25/2009 for which the award is sought were rendered.
3. That pursuant to E.D. Mich. LBR 2016-1(a)(3) the applicant performed the following: prepared/reviewed correspondence; had telephone communications to/from client, trustee, and/or creditor(s); reviewed file, payments, claims register, and prepared plan calculation; prepared Second Amended Payment Order; prepared Notice of Plan Modification; reviewed proof(s) of claim; met with client concerning Settlement Discussions; prepared Cover Sheet for Amendments; prepared Notice of Mortgage Payment Decrease on behalf of Homeeq Servicing; and prepared Post-Confirmation Fee Application. Attorney costs and fees did not exceed \$3,500.00..
4. That pursuant to E.D. Mich. LBR 2016-1(a)(4) applicant did not initiate an adversary proceeding.
5. That pursuant to E.D. Mich. LBR 2016-1(a)(5) the current status of case is active and that the approval of the fee application does not have an adverse impact on the Chapter 13 plan.
6. That pursuant to E.D. Mich. LBR 2016-1(a)(6) applicant anticipates providing further legal services to ensure successful completion of the Chapter 13 plan.
7. That pursuant to E.D. Mich. LBR 2016-1(a)(7) the amount and nature of accrued unpaid administrative expenses are as follows:\$0.00.
8. That pursuant to E.D. Mich. LBR 2016-1(a)(8) the application does not seek an award for services of more than one Attorney and Paralegal for each specific instance.
9. That pursuant to E.D. Mich. LBR 2016-1(a)(9) this is applicant's First Post-Confirmation Fee application. That the fees and expenses previously approved are as follows:
\$6,276.00 in fees and \$165.33 in costs per order dated 7/12/2008.
10. That pursuant to E.D. Mich. LBR 2016-1(a)(10) applicant sought approval no later than seven (7)

days prior to the filing of this application. See Exhibit 8.

11. That pursuant to E.D. Mich. LBR 2016-1(a)(11) applicant has attached hereto the following Exhibits:

Exhibit 1 shall be the proposed order granting the application.

Exhibit 2 shall be a copy of the order approving the employment of the applicant, if applicable.

Exhibit 3 shall be a copy of the applicant's statement under F.R.Bankr.P.2016(B) or a copy of the applicant's retention agreement.

Exhibit 4-5, and 7 shall be a summary statement of the number of hours of service rendered by each professional and paraprofessional, the hourly rate of each, an itemized time record of each service for which an award of compensation is sought, and an itemized statement of expenses for which reimbursement is sought.

Exhibit 6 shall be Attorneys Biographical Statement.

Exhibit 8 shall be notice to Debtor(s) requesting approval of application.

WHEREFORE, the undersigned counsel for Debtor(s) moves for the award and payment of post-confirmation attorney fees and costs as an administrative expense through the Debtor(s) Chapter 13 Plan in the amount of \$834.00 in fees and \$194.72 in costs for a total compensation of \$7,470.05, Debtor(s) counsel having previously been awarded \$6,441.33.

/s/ Charles J. Schneider

CHARLES J. SCHNEIDER (P27598)

MELISSA A. CAOINETTE (P62729)

LISA M. MANOOGIAN (P71407)

RYAN E. LADLEY (P72694)

Attorneys for Debtor(s)

39319 Plymouth Rd., Ste. 1

Livonia, MI 48150

(734) 591-4890

notices@cschneiderlaw.com

Dated: July 7, 2009

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE: Rick J. Mercado
Heather S. Mercado

Case No. 08-43417-TJT
Chapter 13
HON. Thomas J. Tucker

Debtor(s).

**FIRST ORDER AWARDING AND APPROVING PAYMENT OF POST-CONFIRMATION
ATTORNEY FEE APPLICATION AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN
PURSUANT TO E.D. Mich. LBR 9014-1 AND 2016-1(a) FROM 5/30/2008 THROUGH 6/25/2009**

This matter having come on to be heard upon the application of the attorney for the Debtor(s), all interested parties having been served with notice of the application and the provisions of E.D. Mich. LBR9014-1 and 2016-1 having been met, and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED:

1. The Court approves applicant's fees and expenses as follows:

Prior award for Fees:	<u>\$6,276.00</u>	
Prior award for Costs:	<u>\$ 165.33</u>	
Total award to Date:		<u>\$6,441.33</u>
This award for Fees:	<u>\$ 834.00</u>	
This award for Costs:	<u>\$ 194.72</u>	
Total this award:		<u>\$1,028.72</u>
Amount paid directly by Debtor	<u>\$ 0.00</u>	(held in client trust account)
Balance to be paid from Chapter 13 Plan	<u>\$1,028.72</u>	
GRAND TOTAL FEES AND COSTS		<u>\$7,470.05</u>

2. This award covers services rendered and expenses incurred from 5/30/2008 through 6/25/2009.
3. Debtor's counsel shall serve a copy of this Order upon the Chapter 13 Trustee.
4. To the extent that fees and expenses pursuant to this Order are not disbursed by the Chapter 13 Trustee, they shall be paid directly by the Debtor(s) following dismissal.

EXHIBIT 1

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE Rick J. Mercado
Heather S. Mercado

Case No. 08-43417-TJT
Chapter 13
HON. Thomas J. Tucker

Debtor(s).

ATTORNEY'S BIOGRAPHICAL STATEMENT IN SUPPORT OF APPLICATION FOR FEES

Charles J. Schneider, counsel for Debtor(s) herein, submits the following brief biographical statement in support of his Application For Attorney Fees as follows:

1. Date and Place of Birth: August 6, 1952; New York City, NY
2. **Educational Achievements:**
 - A. New York State High School Regents Diploma, 1970
 - B. Bachelor of Arts with Distinction: Wayne State University, (History & Political Science), 1974
 - C. Juris Doctor: Wayne State University Law School, 1977
3. **Professional Memberships and Associations:**
 - A. State of Michigan Bar Association: Admitted to practice; Oct. 18, 1977
 - B. U.S. Court of Appeals for the Sixth Circuit
 - C. U.S. District Court for the Eastern District of Michigan
 - D. Detroit Bar Association
 - I. Debtor-Creditor section
 - E. Livonia Bar Association
 - F. Oakland County Bar Association
 - G. National Association of Chapter 13 Trustees
 - H. Consumer Bankruptcy Association
 - I. National Association of Consumer Bankruptcy Attorneys
 - J. American Bankruptcy Institute
4. **Certifications and Ratings:**
 - A. American Bankruptcy Board of Certification in Consumer Bankruptcy, since 1995
 - B. Martindale-Hubbell "BV" Rated
5. **Pro Bono Service:**
 - A. Pro Bono service recognition award, U.S. District Ct., Eastern District of Michigan, 2000
 - B. U.S. Bankruptcy Ct (E.D.M.) assigned pro bono cases - 4
6. **Continuing Legal Education (prior 5 years):**
 - A. N.A.C.T.T. 34th Annual Seminar; New York, NY, July 23-25, 1999 - 20 hours
 - B. Laboring under the Employment of Bankruptcy and ERISA: Understanding the Interplay, Detroit Metropolitan Bar Association; Detroit, MI, September 9, 1999 - 2.5 hours
 - C. Chapter 13 Seminar, Consumer Bankruptcy Association and Office of the Chapter 13 Standing Trustee - Detroit; Troy, MI, September 23, 1999 - 7 hours
 - D. Significant Developments Affecting Your Bankruptcy Practice; Detroit Metropolitan Bar Association; Detroit, MI, November 4, 1999 - 3 hours
 - E. ABI Central States Bankruptcy Workshop, Traverse City, MI, June 9 & 10, 2000 - 8.75 hours
 - F. Hot & Emerging Bankruptcy Issues; Detroit Metropolitan Bar Association; Detroit, MI, June 14, 2000 - 2.5 hours
 - G. N.A.C.T.T. 35th Annual Seminar; St. Louis, MO, July 22-24, 2000 - 16 hours
 - H. N.A.C.T.T. 36th Annual Seminar; San Diego, CA, July 2-4, 2001 - 17.5 hours
 - I. Consumer Bankruptcy Association 2002 Seminar; Troy, MI, March 22, 2002 - 6 hours
 - J. ABI Central States Bankruptcy Workshop, Traverse City, MI, June 7-9, 2002 - 8.5 hours
 - K. N.A.C.T.T. 37th Annual Seminar; Las Croabas, Puerto Rico, July 13-15, 2002 - 14.5 hours
 - L. Michigan Public Act 123, Detroit Metropolitan Bar Association and Consumer Bankruptcy Association, Detroit, MI, November 13, 2002 - 1.5 hours
 - M. N.A.C.T.T. 2nd Annual Bankruptcy Institute, Chicago, IL, July 16-17, 2003 - 16 hours
 - N. N.A.C.T.T. 38th Annual Seminar; Chicago, Illinois, July 18-20, 2003 - 15.75 hours

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- O. Consumer Bankruptcy Association, Brown Bag Lunch Seminar: Income Tax Intersections with Chapters 7 & 13; Detroit, MI, July 23, 2003 - 1.25 hours
 - P. Consumer Bankruptcy Association 2003 Seminar; Troy, MI, October 3, 2003 - 6 hours
 - Q. N.A.C.T.T. 39th Annual Seminar; Las Vegas, Nevada, June 28-30, 2004 - 13.5 hours
 - R. New Bankruptcy Code Seminar; Detroit, MI, June 3, 2005 - 4 hrs.
 - S. N.A.C.T.T. 40th Annual Seminar; Orlando, FL, July 14-16, 2005 - 14.5 hrs.
 - T. ABI's Detroit Bankruptcy Workshop: Practice Under the New Bankruptcy Law, Detroit, MI, November 11, 2005 - 7 hours.
 - U. ABI's 13th Annual Central States Bankruptcy Workshop, Traverse City, MI, June 15-18, 2006 - 8 hrs.
 - V. N.A.C.T.T. 41st Annual Seminar; Denver, CO, June 29-July 2, 2006 - 15 hrs.
 - W. BAPCPA One Year Later A Columbus Day Seminar; Novi, MI, October 9, 2006 - 7 hrs.
 - X. N.A.C.B.A. Annual Seminar; Philadelphia, PA, April 19-22, 2007-13 hrs
 - Y. Consumer Bankruptcy Association, "Nuts & Bolts" Approach Seminar; Sterling Heights, MI, May 7, 2007 - 5 hrs.
 - Z. N.A.C.T.T. 42nd Annual Seminar; Baltimore, MD, Aug 5-Aug 9, 2007 - 15 hrs.
 - AA. ABI's Detroit Consumer Program, Troy, MI, November 12, 2007 - 6.75 hrs.
 - BB. 15th Annual Central States Bankruptcy Workshop, Traverse City, MI, June 13-15, 2008 - 5hrs.
 - CC. N.A.C.T.T. 43rd Annual Seminar; San Francisco, CA, July 10-July 12, 2008 - 15 hrs
 - DD. ABI's Detroit Consumer Bankruptcy Conference, Troy, MI, November 11, 2008 -5.5 hrs.
 - EE. 16th Annual Central States Bankruptcy Workshop, Traverse City, MI, June 11-14, 2009 - 9 hrs CLE credit.
7. **Teaching experience:**
- A. Speaker/Panelist at N.A.C.T.T. Annual Seminar (Palm Desert above) re: Treatment of Student Loans
 - B. Speaker/Panelist at N.A.C.T.T. Annual Seminar (San Francisco above) re: Ethics, Adequate Protection and Fair Market Value Issues
 - C. Speaker/Panelist at Chapter 13 Seminar (Troy, MI) re: 21st Century Debtor Practice
 - D. Speaker/Panelist at N.A.C.T.T. Annual Seminar (St. Louis, MO) re: Assignment of Claims
 - E. Speaker at Genesee County Bar Association Seminar (Flint, MI) re: Bankruptcy Abuse Prevention and Consumer Protection Act of 2005: An Overview for the Bankruptcy and Non-Bankruptcy Practitioner.
 - F. Speaker/Panelist at N.A.C.T.T. Annual Seminar (Orlando, FL) re: Best Debtor's Attorneys Practice under the BAPCPA
 - G. Group Speaker for Consumer Bankruptcy Association regarding Bankruptcy Reform Act (Royal Oak, MI)
 - H. Speaker/Panelist at BAPCPA One Year Later A Columbus Day Seminar re: Bankruptcy Ethics (Novi, MI)
 - I. Consumer Bankruptcy Association, "Nuts & Bolts" Approach Seminar, re: Confirmation Issues (Sterling Heights, MI)
 - J. Speaker at ABI's Detroit Consumer Program, re: Secured Transactions (Troy, MI)
 - K. Speaker at Central States Bankruptcy Workshop (Traverse City, MI) re: Chapter 13 This Way, That Way, Which Way?
8. **Reported cases:**
- A. Americredit Financial Services v Nichols (In re Nichols), 440 F3rd 850; 2006 U.S. App. LEXIS 10347 (6th Cir.)
 - B. In re Hearn, 337 B.R. 603; 2006 Bankr. LEXIS 144
 - C. Glance v Carroll (In re Glance), 2007 U.S. App. LEXIS 12622 (6th Cir.)
9. **Publications:**
- Contributing author to Michigan Institute of Continuing Legal Education publication: Handling Consumer and Small Business Bankruptcies in Michigan
10. **Estimated number of filings in Bankruptcy by attorney:**

		<u>Ch. 7</u>	<u>Ch. 11</u>	<u>Ch. 13</u>
TOTALS THROUGH 12/31/2008	8,448	5,073	12	3,363

MELISSA A. CAOUETTE, Associate:

- 1. **Educational Achievements:**
 - A. Bachelor of Science: Eastern Michigan University, 1993
 - B. Juris Doctor: Thomas M. Cooley Law School, 2000
- 2. **Professional Memberships and Associations:**
 - A. State Bar of Michigan: Admitted to practice; July 2001
 - B. National Association of Chapter 13 Trustees

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- C. Consumer Bankruptcy Association
- D. American Bar Association
- 3. **Continuing Legal Education:**
 - A. Consumer Bankruptcy Association 2002 Seminar; Troy, MI, March 22, 2002 - 6 hours
 - B. N.A.C.T.T. 37th Annual Seminar; Las Croabas, Puerto Rico, July 13-15, 2002 - 14.5 hours
 - C. Michigan Public Act 123, Detroit Metropolitan Bar Association and Consumer Bankruptcy Association, Detroit, MI, November 13, 2002 - 1.5 hours
 - D. N.A.C.T.T. 38th Annual Seminar; Chicago, Illinois, July 18-20, 2003 - 15.75 hours
 - E. Consumer Bankruptcy Association, Brown Bag Lunch Seminar: Income Tax Intersections with Chapters 7 & 13; Detroit, MI, July 23, 2003 - 1.25 hours
 - F. Consumer Bankruptcy Association 2003 Seminar; Troy, MI, October 3, 2003 - 6 hours
 - G. "So, You Want to be a Bankruptcy Attorney . . ."; Consumer Bankruptcy Association; Birmingham, MI, June 11, 2004 - 4.5 hours
 - H. New Bankruptcy Code Seminar; Detroit, MI, June 3, 2005 - 4 hrs.
 - I. ABI's Detroit Bankruptcy Workshop: Practice Under the New Bankruptcy Law, Detroit, MI, November 11, 2005 - 7 hours.
 - J. ABI's 13th Annual Central States Bankruptcy Workshop, Traverse City, MI, June 15-18, 2006 - 8 hrs.
 - K. BAPCPA One Year Later A Columbus Day Seminar; Novi, MI Oct. 9, 2006 - 7 hrs.
 - L. Consumer Bankruptcy Association, "Nuts & Bolts" Approach Seminar; Sterling Heights, MI, May 7, 2007 - 5 hrs.
 - M. ABI's 14th Annual Central States Bankruptcy Workshop, Traverse City, MI, June 14-17, 2007 - 5 hrs.
 - N. ABI's Detroit Consumer Program, Troy, MI, November 12, 2007 - 6.75 hrs.
 - O. ABI's Detroit Consumer Bankruptcy Conference, Troy, MI, November 11, 2008 -5.5 hrs.
- 4. **Teaching Experience:**
 - A. Trainer at Standing Chapter 13 Trustee David Ruskin's Office (Southfield, MI) re: Basic and Advanced Trustee Records Accessible via Computer (T.R.A.C.) Training

LISA M. MANOOGIAN, Associate

- 1. **Educational Achievements:**
 - A. Bachelor of Arts: Michigan State University, 2004
 - B. Juris Doctor: Wayne State University, 2007
- 2. **Professional Memberships and Associates:**
 - A. State Bar of Michigan: Admitted to practice, November 2007
- 3. **Continuing Legal Education (prior 5 years):**
 - A. ABI's Detroit Consumer Bankruptcy Conference, Troy, MI, November 11, 2008 -5.5 hrs.
 - B. 16th Annual Central States Bankruptcy Workshop, Traverse City, MI, June 11-14, 2009 - 9 hrs CLE credit.

ELIZABETH M. ABOOD, Former Associate:

- 1. **Educational Achievements:**
 - A. Bachelor of Arts, with honor: Michigan State University, 1987
 - B. Juris Doctorate: University of Michigan, 1991
Note Editor, *Michigan Journal of International Law*
- 2. **Judicial Clerkship:**
 - A. Michigan Court of Appeals Judge William B. Murphy 1993-1994
- 3. **Professional Memberships and Associations:**
 - A. State Bar of Michigan: Admitted to practice; June 1992
 - B. U.S. Court of Appeals for the Sixth Circuit
 - C. U.S. District Court for the Eastern District of Michigan
 - D. U.S. District Court for the Western District of Michigan
 - E. Consumer Bankruptcy Association
 - F. American Bankruptcy Institute
 - G. Women Lawyers Association of Michigan
- 4. **Teaching experience:**
 - A. Group Speaker for Consumer Bankruptcy Association regarding Bankruptcy Reform Act (Royal Oak, MI)
 - B. ABI's 14th Annual Central States Bankruptcy Workshop, Reaffirmation: The Ground Rules have Changed (Traverse City)
- 5. **Reported cases:**
 - A. Ruskin v Daimler Chrysler Serv. N. Am. (In re Adkins), 425 F.3d 296; 2005 U.S. App. LEXIS 21440

- (6th Cir.)
- B. Glance v Carroll (In re Glance), 2007 U.S. App. LEXIS 12622 (6th Cir.)
6. **Continuing Legal Education (prior 5 years):**
- A. Fundamentals of Bankruptcy Law and Procedure in Michigan, National Business Institute Seminar, Southfield, MI, 1998, 6 hours
 - B. New Local Bankruptcy Rules Seminar; Detroit, MI, October 30, 1998 - 2 hours
 - C. National Association of Bankruptcy Trustees, Annual Seminar, Fort Meyers, FL, September 7-11, 2001 - 12.75 hours
 - D. Consumer Bankruptcy Association 2002 Seminar; Troy, MI, March 22, 2002 - 6 hours
 - E. ABI Central States Bankruptcy Workshop, Traverse City, MI, June 7-9, 2002 - 8 hours
 - F. N.A.C.T.T. 37th Annual Seminar; Las Croabas, Puerto Rico, July 13-15, 2002 - 14 hours
 - G. National Association of Bankruptcy Trustees, Annual Seminar, Vail, CO, August 21 -25, 2002- 12.6 hours
 - H. Effective Mortgage Foreclosure Techniques in Michigan, National Business Institute Seminar, Southfield, MI, 2002, 6 hours
 - I. ABI Central States Bankruptcy Workshop, Traverse City, MI, June 6-8, 2003 - 8.5 hours
 - J. Consumer Bankruptcy Association 2003 Seminar; Troy, MI, October 3, 2003 - 6 hours
 - K. National Association of Bankruptcy Trustees, Annual Seminar, San Diego, CA, October, 2003 - 12.5 hours
 - L. New Bankruptcy Code Seminar; Detroit, MI, June 3, 2005 - 4 hrs.
 - M. N.A.C.T.T. 40th Annual Seminar; Orlando, FL, July 14-16, 2005 - 14.5 hrs.
 - N. ABI's Detroit Bankruptcy Workshop: Practice Under the New Bankruptcy Law, Detroit, MI, November 11, 2005 - 7 hours.
 - O. ABI's 13th Annual Central States Bankruptcy Workshop, Traverse City, MI, June 15-18, 2006 - 8 hrs.
 - P. BAPCPA One Year Later A Columbus Day Seminar; Novi, MI, Oct. 9, 2006 - 7 hrs.
 - Q. National Business Institute, Collection Law from Start to Finish; Toledo, OH, January 29, 2007-6 hrs.
 - R. Consumer Bankruptcy Association, "Nuts & Bolts" Approach Seminar; Sterling Heights, MI, May 7, 2007 - 5 hrs.
 - S. ABI's 14th Annual Central States Bankruptcy Workshop, Traverse City, MI, June 14-17, 2007 - 5 hrs.

ANDREAS M. GETSCHMANN, Former Associate:

- 1. **Educational Achievements:**
 - A. Bachelor of Arts: Wayne State University, 1973
 - B. Juris Doctorate: Detroit College of Law, 1977
- 2. **Professional Memberships and Associations:**
 - A. State Bar of Michigan: Admitted to practice; November, 1977
 - B. U.S. District Court for the Eastern District of Michigan
- 3. **Continuing Legal Education (prior 5 years):**
 - A. BAPCPA One Year Later A Columbus Day Seminar; Novi, MI, Oct. 9, 2006 - 7 hrs.
- 4. **Previous Employment:**
 - A. UAW Legal Services Plan; Bankruptcy section leader - 19 years.
- 5. **Relevant Experience:**
 - A. 20 years of Bankruptcy legal work, including all phases of Chapter 7 and Chapter 13 cases.
 - B. Cases Filed: 600 Bankruptcy cases filed in this district since 1988.

KIMBERLY BEDIGIAN, Former Associate

- 1. **Educational Achievements:**
 - A. Bachelor of Arts: University of Michigan, (A.B., Philosophy), 1992
 - B. Juris Doctor: University of Detroit, 1995
- 2. **Professional Memberships and Associations:**
 - A. State Bar of Michigan: Admitted to practice; June 1996
 - B. National Association of Chapter 13 Trustees
 - C. Consumer Bankruptcy Association
 - D. American Bankruptcy Institute
- 3. **Continuing Legal Education (prior 5 years):**
 - A. N.A.C.T.T. Annual Seminar; New York, NY, July 23-24, 1999 - 11 hours
 - B. Laboring under the Employment of Bankruptcy and ERISA: Understanding the Interplay, Detroit Metropolitan Bar Association; Detroit, MI, September 9, 1999 - 2.5 hours
 - C. Chapter 13 Seminar, Consumer Bankruptcy Association and Office of the Chapter 13 Standing Trustee - Detroit; Troy, MI, September 23, 1999 - 7 hours

- D. Significant Developments Affecting Your Bankruptcy Practice; Detroit Metropolitan Bar Association; Detroit, MI, November 4, 1999 - 3 hours
- E. Hot & Emerging Bankruptcy Issues; Detroit Metropolitan Bar Association; Detroit, MI, June 14, 2000 - 2.5 hours
- F. N.A.C.T.T. Annual Seminar; St. Louis, MO, July 22-24, 2000 - 16 hours
- G. N.A.C.T.T. Annual Seminar; San Diego, CA, July 2-4, 2001 - 17.5 hours
- H. ABI Central States Bankruptcy Workshop, Traverse City, MI, June 7-9, 2002 - 8.5 hours
- I. N.A.C.T.T. Annual Seminar; Las Croabas, Puerto Rico, July 13-15, 2002 - 14.5 hours
- J. Michigan Public Act 123, Detroit Metropolitan Bar Association and Consumer Bankruptcy Association, Detroit, MI, November 13, 2002 - 1.5 hours
- K. N.A.C.T.T. Annual Seminar; Chicago, Illinois, July 18-20, 2003 - 15.75 hours
- L. Consumer Bankruptcy Association, Brown Bag Lunch Seminar: Income Tax Intersections with Chapters 7 & 13; Detroit, MI, July 23, 2003 - 1.25 hours
- M. Consumer Bankruptcy Association 2003 Seminar; Troy, MI, October 3, 2003 - 6 hours
- N. "So, You Want to be a Bankruptcy Attorney . . ."; Consumer Bankruptcy Association; Birmingham, MI, June 11, 2004 - 4.5 hours
- O. N.A.C.T.T. Annual Seminar; Las Vegas, Nevada, June 28-30, 2004 - 13.5 hours
- 4. **Certifications:**
 - A. American Bankruptcy Board of Certification in Consumer Bankruptcy
- 5. **Teaching experience:**
 - A. Speaker/Panelist at Chapter 13 Seminar (Troy, MI) re: Basics

MARGARET A. MARTIN, Paralegal: Employed at present law firm since 08/1989.

- 1. **Educational Achievements:**
 - A. Michigan High School Diploma, 1982
 - B. Associate of Science (Legal Assistant): Madonna University, 2003
 - C. University of Michigan (Dearborn), currently attending.
- 2. **Professional Memberships and Associations:**
 - A. National Association of Legal Assistants
- 3. **Continuing Legal Education:**
 - A. New Local Bankruptcy Rules Seminar; Detroit, MI, October 30, 1998 - 2 hours
 - B. Chapter 13 Seminar, Consumer Bankruptcy Association and Office of the Chapter 13 Standing Trustee - Detroit; Troy, MI, September 23, 1999 - 7 hours
 - C. N.A.C.T.T. Annual Seminar; Las Vegas, Nevada, June 28-30, 2004 - 1 hour
 - D. New Bankruptcy Code Seminar; Detroit, MI, June 3, 2005 - 4 hrs.

SANDRA C. DELOZIER, Paralegal: Employed at present law firm since 03/2004.

- 1. **Educational Achievements:**
 - A. Michigan High School Diploma -Cum Laude, 1989
 - B. Bachelor of Science in Public Administration, Business minor: Eastern Michigan University, 1993
 - C. Bachelor of Science in Legal Assisting-ABA approved, Summa Cum Laude: Eastern Michigan University, 1998
- 2. **Continuing Legal Education:**
 - A. Locating Hidden Assets presented by the Department of Justice; Quantico, Virginia, 1995
 - B. Asset Forfeiture Seminar presented by the Department of Justice; Georgetown, Washington D.C., 1996
 - C. Training for the Consolidated Asset Tracking System presented by the Department of Justice; Safety Harbor, Florida; December, 1996
 - D. Conflict Management Workshop presented by Oakland Mediation Center; Detroit, MI, February, 2004
 - E. BSS Bankruptcy Software Seminar; Detroit, MI, May 14, 2008 - 1 hour
- 3. **Teaching Experience:**
 - A. Trainer at Standing Chapter 13 Trustee David Ruskin's Office (Southfield, MI) re: Basic and Advanced Trustee Records Accessible via Computer (T.R.A.C.) Training
- 4. **Former Employment**
 - A. Office of the Chapter 13 Trustee, David Wm. Ruskin, Southfield, MI - from 11/1998 to 09/2001 and 10/2002 to 03/2004, Case Analyst and Paralegal.

LINDA M. POLING, Paralegal: Employed at present law firm since 06/2005.

- 1. **Educational Achievements:**
 - A. Michigan High School Diploma, 1985
 - B. Bachelor of Science: Eastern Michigan University, 1994

2. **Former Employment**

- A. Office of the Chapter 13 Trustee, David Wm. Ruskin, Southfield, MI - from 08/1993 to 08/1994 as Closing Clerk; 08/1994 to 08/1995 as Financial Assistant; and 08/1995 to 05/1998 as Closing Auditor.

EXHIBIT 6

Charles J. Schneider, P.C.

Attorney at Law

*39319 Plymouth Road
Suite 1
Livonia, Michigan 48150
(734) 591-4890
(734) 328-6006 - fax
www.a-new-start.com*

*Charles J. Schneider *
Lisa M. Manoogian
Melissa A. Caouette
Ryan E. Ladley
*Board Certified
American Board of Certification-
Consumer Bankruptcy*

June 26, 2009

Rick J. Mercado
Heather S. Mercado
514 Park St.
Lincoln Park, MI 48146

RE: Chapter 13
Case No. 08-43417-TJT

Dear Mercado:

Enclosed you will find the FIRST Application For Award and Approval of Payment of Post-Confirmation Attorney Fees as an Administrative Expense Through Chapter 13 Plan Pursuant to E.D. Mich. LBR 9014-1(E.D.M.) and FIRST Order Awarding and Approving Payment of Post-Confirmation Attorney Fees as an Administrative Expense Through Chapter 13 Plan Pursuant to E.D. Mich. LBR 9014-1.

Pursuant to Bankruptcy Court Rule and Statute, I must seek approval of the payment of my fees from the Court. In any Chapter 13 Bankruptcy case the Judge must order my fees to be paid from the Plan.

Our fee agreement provides that you will pay from your Plan any additional fees incurred for the reasons set forth in my application.

Please sign the approval line on the Order above your name and return the Order to our office within seven (7) days from the date of this letter. Your signature will expedite the process of the approval. If you should have any questions about the payment of any fees, please feel free to call me to discuss the matter.

Very truly yours,

Charles J. Schneider

CJS:scd

Enclosures

EXHIBIT 8

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE: Rick J. Mercado
Heather S. Mercado

Case No. 08-43417-TJT
Chapter 13
HON. Thomas J. Tucker

Debtor(s).

**NOTICE OF FIRST APPLICATION FOR AWARD AND APPROVAL OF PAYMENT
OF POST-CONFIRMATION ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN**

CHARLES J. SCHNEIDER, attorney for debtor(s) herein has filed papers with the court for AWARD AND APPROVAL OF PAYMENT OF POST-CONFIRMATION ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN.

Fees Requested: \$834.00
Expenses Requested: \$194.72
Time Period: 5/30/2008 through 6/25/2009
Amount paid directly by Debtor: \$0.00 (held in client trust account)

PLEASE NOTE: The application is available for public review at the Clerk's Office, 21st Floor, U.S. Bankruptcy Court, 211 W. Fort Street, Detroit, MI, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the APPLICATION FOR AWARD AND APPROVAL OF PAYMENT OF POST-CONFIRMATION ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN, or if you want the court to consider your views on the application, within TWENTY (20) days from the date of service of this application, you or your attorney must:

1. File a written response or an answer explaining your position with¹:
United States Bankruptcy Court
211 West Fort Street, Suite 2100
Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the TWENTIETH (20th) day from the date of service of this application. You must also mail a copy to:

Charles J. Schneider, Attorney for Debtor(s), 39319 Plymouth Rd., Suite 1, Livonia, MI 48150

Tammy L. Terry, , Buhl Building, 535 Griswold, Ste. 2100, Detroit, MI 48226

2. If a response or answer is timely filed and served, the clerk will schedule a hearing on the motion and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

/s/ Charles J. Schneider

CHARLES J. SCHNEIDER (P27598)
MELISSA A. CAOINETTE (P62729)
LISA M. MANOOGIAN (P71407)
RYAN E. LADLEY (P72694)
Attorneys for Debtor(s)
39319 Plymouth Rd., Ste. 1
Livonia, MI 48150
(734) 591-4890
notices@cschneiderlaw.com

Dated: July 7, 2009

¹Response or answer must comply with F.R.Civ.P. 8(b), (c) and (e).

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE: Rick J. Mercado
Heather S. Mercado

Case No. 08-43417-TJT
Chapter 13
HON. Thomas J. Tucker

Debtor(s).
_____ /

PROOF OF SERVICE

SANDRA DELOZIER, certifies that she is employed by the Law Office of Charles J. Schneider, P.C., attorney for Debtor(s), and states that on July 7, 2009, she served a copy of NOTICE OF FIRST APPLICATION FOR AWARD AND APPROVAL OF PAYMENT OF POST-CONFIRMATION ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN, FIRST APPLICATION FOR AWARD AND APPROVAL OF PAYMENT OF POST-CONFIRMATION ATTORNEY FEES AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN & proposed ORDER to:

United States Trustee
211 West Fort Street
Suite 700
Detroit, MI 48226

Tammy L. Terry
Buhl Building 535 Griswold, Ste. 2100
Detroit, MI 48226

Electronically pursuant to the court notice of service and to those not electronically registered by placing documents in an envelope, correctly addressed and placing same in the U.S. Mail with postage prepaid.

/s/ Sandra Delozier
SANDRA DELOZIER
LAW OFFICE OF CHARLES J. SCHNEIDER, P.C.
39319 Plymouth Rd., Ste. 1
Livonia, MI 48150
(734) 591-4890
notices@cschneiderlaw.com

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Rick Mercado
Heather S. Mercado
Debtor(s).

Case No. 08-43417-TJT
Chapter 13
Hon. Thomas J. Tucker

STATEMENT OF ATTORNEY FOR DEBTOR(S) PURSUANT TO F.R.BANKR.P. 2016(b)

The undersigned, pursuant to F.R.Bankr.P. 2016(b), Rules of Bankruptcy Procedure, states that:

1. The undersigned is the attorney for the Debtor(s) in this case.
2. The compensation paid or agreed to be paid by the Debtor(s) to the undersigned is:

[X] RETAINER

- A. For legal services rendered or to be rendered in contemplation of and in connection with this case, the fee shall be calculated using hourly rates.
- B. Prior to the filing of this statement, the undersigned has received a retainer held in the client trust account of \$500.00
- C. The unpaid balance due and payable will be determined by hourly rates.
- D. The undersigned shall bill against the retainer at an hourly rate of *see attached firm hourly rate schedule, Rate 1. Hourly rates are subject to change at any time without notice. Debtor(s) have agreed to pay all Court approved fees and expenses exceeding the amount of the retainer.

3. \$274.00 of the filing fee has been paid.

4. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- A. Analysis of the Debtor(s) financial situation and rendering advice and assistance to the Debtor(s) in determining whether to file a petition under Title 11, U.S.C.
- B. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- C. Representation of the Debtor(s) at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- D. Representation of the Debtor(s) in adversary proceedings and other contested bankruptcy matters;

5. By agreement with the Debtor(s), the above-disclosed fee does not include the following services:

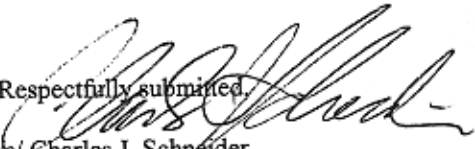
- A. Reaffirmations;
- B. Redemptions;
- C. Conversion to Chapter 7
- D. Preparation of any statement of purpose to add creditors;
- E. Commencement of any adversary lawsuit to determine the dischargeability of any indebtedness (i.e. student loans);
- F. Advice or consultation with any counsel acting upon the Debtor(s) behalf of any claim or asset due to the Debtor(s);
- G. Appeals

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6. The source of payments made by the Debtor(s) to the undersigned was from:
A. Debtor(s) earnings, wages, compensation for services performed.
B. Other (describe, including the identity of payor):
7. The undersigned has not shared or agreed to share, with any other person, other than with members of the undersigned's law firm or corporation, any compensation paid or to be paid except as follows: none.
8. The undersigned has received no transfer, assignment or pledge of property except the following for the value stated: none.

Dated: February 26, 2008

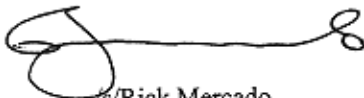
Respectfully submitted,



/s/ Charles J. Schneider

Attorney for Petitioner:

CHARLES J. SCHNEIDER (P27598)
MELISSA A. CAOUETTE (P62729)
ANDREAS M. GETSCHMANN (P27630)
Attorneys for Debtor(s)
39319 Plymouth Road, Suite 1
Livonia, Michigan 48150-1064
(734) 591-4890
notices@cschneiderlaw.com

Client(s) hereby acknowledge receipt of a copy of this notice consisting of three (3) pages.


/s/Rick Mercado
Rick Mercado


/s/Heather S. Mercado
Heather S. Mercado

Charles J. Schneider, P.C.

39319 Plymouth Rd, Suite 1

Livonia Michigan 48150

**Board Certified-American Bankruptcy Board of Certification-Consumer
Bankruptcy**

Rick J. Mercado
Heather S. Mercado
514 Park St.
Lincoln Park, MI 48146

Date: 6/26/2009

Regarding: In re Mercado, Rick & Heather
Invoice No: 10358

Services Rendered

Date	Staff	Description	Hours	Rate	Charges
6/05/2008	SCD	Review of Proof of Claim re: Resurgent Capital Services \$10,374.98	0.10	\$105.00	\$10.50
6/05/2008	SCD	Preparation of Stipulated Amended payment order	0.10	\$105.00	\$10.50
6/06/2008	SCD	Review of Trustee's records and preparation of plan calculation to determine whether fee application will have adverse impact on Chapter 13 plan	0.10	\$105.00	\$10.50
7/08/2008	LMM	Telephone communication with client re: 401k loan	0.10	\$160.00	\$16.00
7/08/2008	LMM	Review of file re: 401k loan payoff and possible plan modification	0.20	\$160.00	\$32.00
7/11/2008	GMH	Review of file for response to Motion for Pre Confirmation Fee Application; Preparation of Certification of Non-Response	0.00	\$80.00	No Charge
			0.20		No Charge
7/11/2008	LMM	Telephone communication with client regarding step payment increase	0.10	\$160.00	\$16.00
7/11/2008	SCD	Preparation of Second Amended payment order	0.10	\$105.00	\$10.50
7/11/2008	SCD	Review of file for order(s), payments and/or delinquency, claims register, and accessed trustee records using Plan Calc to determine whether case completes timely. Prepared file note regarding same.	0.50	\$105.00	\$52.50
7/11/2008	SCD	Preparation of Notice of Plan Modification	0.30	\$105.00	\$31.50

7/28/2008	LMM	Telephone communication with client re: Trustee audit and plan modification	0.10	\$160.00	\$16.00
8/13/2008	LMM	Telephone communication with client re: mortgage decrease	0.10	\$160.00	\$16.00
8/15/2008	GMH	Review of file for response to Motion for Modification of Chapter 13 Plan; Preparation of Certification of Non-Response	0.20	\$80.00	\$16.00
8/18/2008	LMM	Review of file re: audit letter from Trustee	0.10	\$160.00	\$16.00
8/18/2008	LMM	Review of Proof of Claim re: Small Business Administration in the amount of \$8,702.74	0.10	\$160.00	\$16.00
8/18/2008	LMM	Review Correspondence from Trustee re: mortgage payment decrease	0.10	\$160.00	\$16.00
9/23/2008	CJS	Meeting with client re: Questions concerning Settlement Discussions with City of Ecorse & exemptions & Modification of Plan	1.20	\$275.00	\$330.00
9/25/2008	LMM	Telephone communication with client re: possible 401k withdrawal	0.10	\$160.00	\$16.00
10/06/2008	LMM	Telephone communication with client re: motion to incur debt	0.10	\$160.00	\$16.00
11/19/2008	GMH	Preparation of Cover Sheet for Amendment(s)	0.10	\$80.00	\$8.00
11/19/2008	GMH	Preparation of correspondence to attorney regarding consent for Motion to Employ Counsel	0.10	\$80.00	\$8.00
12/08/2008	LMM	Telephone communication with client re: timeshare	0.10	\$160.00	\$16.00
6/25/2009	LMM	Review of file for paralegal draft of Post-confirmation fee application	0.00	\$170.00	No Charge
			0.20		No Charge
6/25/2009	SCD	Preparation of correspondence to trustee regarding 2008 income tax returns	0.10	\$110.00	\$11.00
6/25/2009	SCD	Preparation of Post-confirmation fee application	0.30	\$110.00	\$33.00
6/25/2009	SCD	Preparation of Notice of Plan Modification	0.30	\$110.00	\$33.00
6/25/2009	SCD	Review of correspondence from Trustee regarding proceeds from wrongful termination lawsuit; meeting with attorney Charles J. Schneider regarding same; preparation of correspondence to trustee; preparation of correspondence to client(s)	0.40	\$110.00	\$44.00
6/25/2009	SCD	Review of Trustee correspondence to	0.30	\$110.00	\$33.00

Homeq regarding Mortgage Decrease;
Preparation of Notice of Mortgage
Decrease on behalf of Homeq Servicing

Total Fees \$834.00

Expenses

<u>Start Date</u>	<u>Description</u>	<u>Quantity</u>	<u>Charges</u>
6/06/2008	Charge for Postage Order Confirming Plan	58.00	\$24.36
6/18/2008	First Amended Payment order	2.00	\$0.84
7/11/2008	Charge for Postage Notice of Plan Modification	54.00	\$22.68
7/11/2008	Fees for copies for Notice of Plan Modification (3 pages x 54)	162.00	\$16.20
7/11/2008	Charge for Postage Notice of Plan Modification	55.00	\$23.10
8/15/2008	Postage for Certificate of No Objection	55.00	\$23.10
8/29/2008	Charge for Postage Second Amended payment order	2.00	\$0.84
12/15/2008	Charge for Postage Notice of Application to Employ Counsel	3.00	\$1.26
12/24/2008	Charge for Postage for Cover Sheet for Amendment(s)	3.00	\$1.26
6/25/2009	Charge for Postage for Notice of Mortgage Increase/Decrease certified mail to Homeq CFO	1.00	\$4.66
6/25/2009	Charge for Postage for Notice of Plan Modification	51.00	\$21.42
6/25/2009	Charge for Postage for Notice of Post-confirmation fee application	51.00	\$21.42
6/25/2009	Fees for copies for Notice of Plan Modification (3 pages x 51)	153.00	\$15.30
6/25/2009	Charge for Postage for Post-confirmation fee application	2.00	\$2.98
6/25/2009	Fees for copies for Notice of Post-confirmation fee application (3 pages x 51)	153.00	\$15.30
	Total Expenses		<u>\$194.72</u>

Total New Charges \$1,028.72

Previous Balance \$6,441.33

7/16/2008	Payment		Rick Mercado	\$-500.00
	Payment from trust atty fees			

8/12/2008	Payment	1087976	Tammy L. Terry	\$-5,941.33
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Total Payments and Credits \$-6,441.33

Balance Due \$1,028.72

Previous Balance of IOLTA Account	\$500.00
7/16/2008 Withdrawal In re Mercado, Rick & Heather 08-09647 \$500.00	\$-500.00
New Balance of IOLTA Account	\$0.00

Project Categories

Category	Hours	Fees	Expenses	Charges
Case Administration	3.40	\$602.50	\$0.00	\$602.50
Chapter 13 Plan	1.20	\$139.00	\$0.00	\$139.00
Claims Administration	0.50	\$59.50	\$0.00	\$59.50
Reimbursable Expenses	0.00	\$0.00	\$194.72	\$194.72
Fee Application Preparation	0.70	\$33.00	\$0.00	\$33.00

Staff Summary

Name	Hours	Rate	Fees
Charles J. Schneider	1.20	\$275.00	\$330.00
Gina M. Hunter	0.20	\$0.00	\$0.00
Gina M. Hunter	0.40	\$80.00	\$32.00
Lisa M. Manoogian	1.20	\$160.00	\$192.00
Lisa M. Manoogian	0.20	\$0.00	\$0.00
Sandra C. Delozier	1.20	\$105.00	\$126.00
Sandra C. Delozier	1.40	\$110.00	\$154.00

Blended Hourly Rate: $\$522.00 / 2.60 = \200.77

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE: Rick J. Mercado
Heather S. Mercado

Case No. 08-43417-TJT
Chapter 13
HON. Thomas J. Tucker

Debtor(s).

**FIRST ORDER AWARDING AND APPROVING PAYMENT OF POST-CONFIRMATION
ATTORNEY FEE APPLICATION AS AN ADMINISTRATIVE EXPENSE THROUGH CHAPTER 13 PLAN
PURSUANT TO E.D. Mich. LBR 9014-1 AND 2016-1(a) FROM 5/30/2008 THROUGH 6/25/2009**


This matter having come on to be heard upon the application of the attorney for the Debtor(s), all interested parties having been served with notice of the application and the provisions of E.D. Mich. LBR9014-1 and 2016-1 having been met, and the Court being otherwise fully advised in the premises:


IT IS HEREBY ORDERED:

1. The Court approves applicant's fees and expenses as follows:

Prior award for Fees:	<u>\$6,276.00</u>	
Prior award for Costs:	<u>\$ 165.33</u>	
Total award to Date:		<u>\$6,441.33</u>
This award for Fees:	<u>\$ 834.00</u>	
This award for Costs:	<u>\$ 194.72</u>	
Total this award:		<u>\$1,028.72</u>
Amount paid directly by Debtor	<u>\$ 0.00</u> (held in client trust account)	
Balance to be paid from Chapter 13 Plan	<u>\$1,028.72</u>	
GRAND TOTAL FEES AND COSTS		<u>\$7,470.05</u>

2. This award covers services rendered and expenses incurred from 5/30/2008 through 6/25/2009.
3. Debtor(s)' counsel shall serve a copy of this Order upon the Chapter 13 Trustee.
4. To the extent that fees and expenses pursuant to this Order are not disbursed by the Chapter 13 Trustee, they shall be paid directly by the Debtor(s) following dismissal.


Rick J. Mercado, Debtor


Heather S. Mercado, Debtor

Charles J. Schneider, P.C.

Rate Listing
Effective 06/15/2009*

Charles J. Schneider/CJS	Attorney	\$280.00
Melissa A. Caouette/MAN	Attorney	\$230.00
Lisa M. Manoogian/LMM	Attorney	\$170.00
Ryan E. Ladley/REL	Attorney	\$160.00
Margaret Martin/MAM	Paralegal	\$110.00
Sandra Delozier/SCD	Paralegal	\$110.00
Linda M. Poling/LMP	Paralegal	\$105.00
Gina M. Hunter/GMH	Paralegal	\$ 85.00
Patricia A. Schneider/PAS	Paralegal	\$ 85.00
Andreas M. Getschmann/AMG	former Attorney	\$230.00
Elizabeth M. Abood-Carroll/EMA	former Attorney	\$235.00

*Any lesser rates contained in the billing reflect rates in effect prior to the effective date above.